

REMARKS

In response to the Advisory Action dated December 9, 2009, please enter the above amendments and consider this application further in light of the following remarks. A telephone interview with Examiner Kennedy is respectfully requested as he takes up this case for further action.

As explained in the previous response, the claims prior to the above amendments are allowable over the cited Guala and Johnson references. The arguments given in that response are incorporated herein by reference, and their reconsideration is respectfully requested.

The Advisory Action noted that the Examiner considered item 6 of Guala to be a male luer member as a part of his analysis of the reference. Respectfully, that is incorrect. Guala shows and describes a two-piece female luer fitting member. Item 6 is a female piece, having a conical opening (to the right as seen in Guala's Figure) into which a male luer fitting is inserted. See Abstract; column 2, lines 28-34. Reconsideration of the analysis of Guala in light of these facts is respectfully requested.

The amendment made to claims 11, 14 and 25 recited that the luer fitting member has a lumen that is substantially cylindrical at a portion opposite the rim. Guala's item 6 has an internal conical lumen throughout its right side (as seen in Guala's Figure), under its item 18. The conical internal surface is designed to engage and lock with a male luer member, and one of ordinary skill would not find it obvious to change that engaging and locking function by making that internal surface cylindrical. Doing so would change a fundamental operation of Guala's female connection.

The arguments made in the previous response concerning the acceptability of the terminology of the claims under Section 112 and the lack of applicability of the Werschmidt

reference are incorporated by reference herein. Applicants would prefer discussion of these issues further, if necessary, in a telephone interview.

Conclusion

It should be understood that the above remarks are not intended to provide an exhaustive basis for patentability or to concede any basis for the rejections in the Office Action but are simply provided to address the rejections made in the Office Action in an expedient fashion. Applicant reserves the right to later contest positions taken by the Examiner that are not specifically addressed herein.

Reconsideration and passage to allowance in view of the above amendments and remarks is respectfully requested.

Respectfully submitted,

/Christopher A. Brown/
Christopher A. Brown, Reg. No. 41,642
Woodard, Emhardt, Moriarty, McNett & Henry LLP
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
Telephone: (317) 634-3456
Attorney for Applicants